

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CORD HARRIS,)
)
)
Plaintiff,)
)
)
v.) No. 13 C 5470
)
)
COOK COUNTY MUNICIPALITY)
OFFICER CARREELL, et al.,)
)
)
Defendants.)

MEMORANDUM ORDER

Cord Harris ("Harris") has filed a self-prepared 42 U.S.C. §1983 ("Section 1983") Complaint against three officers affiliated with the Cook County Department of Corrections ("County Jail"), charging each with a violation of his constitutional rights. This memorandum order is issued sua sponte to address three problematic aspects of Harris' filing.

To begin with, 42 U.S.C. §1997e(a) requires every inmate who seeks to invoke Section 1983 to establish that he or she has exhausted all available administrative remedies--a precondition to filing suit. Harris is totally silent on that score, and unless he files an appropriate amendment to his Complaint (to be received in this District Court on or before August 26) to establish such exhaustion, this Court will be constrained to dismiss both the Complaint and this action.

Next, if Harris does satisfy the requirement referred to in the preceding paragraph, he must pay the \$350 filing fee or, if he is unable to do so, must submit an In Forma Pauperis

Application ("Application") and a printout showing the transactions in his trust fund account at the County Jail for the months of February through July 2013 (see 28 U.S.C. §1315).¹ For that purpose copies of the Application form are being transmitted to Harris along with a copy of this memorandum order. Again, failure to comply with the direction in this paragraph on the same timetable will also result in dismissal.

Finally, Harris has requested the appointment of counsel to represent him, but on that score he has failed to complete and submit the form of Motion for Attorney Representation ("Motion") provided by the Clerk of this District Court for that purpose. Here too copies of that form are now being transmitted to Harris, and he must submit the completed form within the same time frame.²

This Court will await the August 26 date to see whether this action will go forward or not, depending on the timely filing or lack of filing on Harris' part. Because ample time has been allowed for Harris' compliance, this Court expects to act

¹ If the Application is successful in obtaining the special category of in forma pauperis status that applies to prisoners, the filing fee is \$350 (not \$400) and is paid in future installments.

² Under our Court of Appeals' jurisprudence, it is essential that Harris identify in that form the efforts that he has made on his own to obtain counsel to represent him.

promptly after Harris has complied or failed to comply.



Milton I. Shadur
Senior United States District Judge

Date: August 5, 2013